

REMARKS

Claims 1-20 were pending. Claims 15-20 are withdrawn and claims 1-14 stand rejected. By virtue of this response, claims 15-20 have been cancelled, claims 1-3 have been amended, and new claims 21 and 22 have been added. Accordingly, claims 1-14, 21, and 22 are currently under consideration. Amendment to the claims and new claims are fully supported by paragraph [0036] and Figures 2 and 5 of the present application, for example. Accordingly, no new matter has been added.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

Claim Objections

Claim 2 is objected to because an informality; in particular, the Examiner states that it appears that --a-- should be inserted in front of the word "hole" in line 2. Applicants have amended claim 2 as suggested by the Examiner. Accordingly, the objection should be withdrawn.

Claim Rejections under 35 USC §102

A. Claims 1, 2, 6, and 9-14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Usui (U.S. Patent No. 5,924,798).

Applicants have amended claim 1 to recite a fluid dynamic bearing motor including, *inter alia*, "a recirculation channel disposed outside of the liner, the recirculation channel for recirculating lubricating fluid during relative rotation of the shaft and the liner." The recited features of claim 1 are not disclosed or suggested by Usui. For example, Usui fails to disclose or suggest a recirculation channel or similar feature to recirculate lubricating fluid during relative rotation. In fact, the Examiner did not assert that Usui discloses or suggests a "recirculation channel" (e.g., a similar feature was recited at least in original claim 3).

Accordingly, for at least these reasons, Usui fails to disclose or suggest the features of claim 1 as amended and the rejection should be withdrawn. Further, all claims depending from claim 1 should be allowed over Usui for at least similar reasons as claim 1.

B. Claims 1-3, 6-7, 9-12, and 14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al. (U.S. Publication No. 2001/0022869).

As indicated above, Applicants have amended claim 1 to recite a fluid dynamic bearing motor including, *inter alia*, “a recirculation channel disposed outside of the liner, the recirculation channel for recirculating lubricating fluid during relative rotation of the shaft and the liner.”

The recited features of claim 1 are not disclosed or suggested by Tanaka. In particular, Tanaka fails to disclose or suggest a “recirculation channel” as presently recited by claim 1. The Examiner states (with respect to claim 3) that Tanaka discloses that “the base includes a recirculation channel (22).” Applicants respectfully disagree and submit that, contrary to the Examiner’s assertion, Tanaka discloses a “lubricant reservoir 22” formed between sleeve 12 and cylindrical portion 11a, and adjacent to bleeder hole 23. (Tanaka, paragraph [0061]). The lubricant reservoir 22 of Tanaka does not disclose or suggest a recirculation channel as recited by claim 1; for example, the lubricant reservoir 22 of Tanaka does operate in a fashion to recirculate lubricating fluid as recited. Accordingly, Tanaka merely discloses a lubricant reservoir in communication with the thrust fluid bearing at one end of sleeve 12, and fails to disclose or suggest a recirculation channel as recited by claim 1 (and described by the present application, e.g., at paragraph [0036] and shown in Figs. 2 and 5, for recirculating lubricating fluid during relative rotation of the shaft and the liner).

Accordingly, for at least these reasons Tanaka fails to disclose or suggest the features of claim 1 as amended and the rejection should be withdrawn. Further, all claims depending from claim 1 should be allowed over Tanaka for at least similar reasons as claim 1.

Claim Rejections under 35 USC §103

Claims 4 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka in view of Titcomb (U.S. Patent No. 5,516,212).

Claims 4 and 5 depend from claim 1 and are allowable over Tanaka for at least similar reasons as claim 1 discussed above. The addition of Titcomb fails to cure the deficiencies of claim 1, nor is the addition of Titcomb alleged to. For example, there is no reason why the addition of Titcomb would provide a teaching, suggestion, or motivation to modify the disclosure of Tanaka to include a recirculation channel as presently recited by claim 1. Accordingly, claims 4 and 5 are allowable over the combination of Tanaka and Titcomb and the rejection should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 146712011200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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